

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VALTRUS INNOVATIONS LTD., <div style="text-align: center;"><i>Plaintiff,</i></div> v. NTT DATA SERVICES, LLC et al, <div style="text-align: center;"><i>Defendants.</i></div>	§ § § § § § §	CIVIL ACTION NO. 2:24-CV-00361-JRG (LEAD CASE)
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VALTRUS INNOVATIONS LTD., <div style="text-align: center;"><i>Plaintiff,</i></div> v. DIGITAL REALTY TRUST, INC. et al, <div style="text-align: center;"><i>Defendants.</i></div>	§ § § § § § §	CIVIL ACTION NO. 2:24-CV-00139-JRG (MEMBER CASE)
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VALTRUS INNOVATIONS LTD. and KEY PATENT INNOVATIONS LTD., <div style="text-align: center;"><i>Plaintiffs,</i></div> v. DIGITAL REALTY TRUST, INC. et al, <div style="text-align: center;"><i>Defendants.</i></div>	§ § § § § § §	CIVIL ACTION NO. 2:24-CV-00535-JRG (MEMBER CASE)
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VERTIV CORPORATION, <div style="text-align: center;"><i>Plaintiff,</i></div> v. VALTRUS INNOVATIONS LTD., <div style="text-align: center;"><i>Defendant.</i></div>	§ § § § § § §	CIVIL ACTION NO. 2:24-CV-00907-JRG (MEMBER CASE)

ORDER


Before the Court is the Joint Motion to Dismiss in Part Only with Respect to Defendants Digital Realty Trust, Inc. and Digital Realty Trust, L.P. (the “Motion”) filed by Plaintiffs Valtrus Innovations, Ltd. and Key Patent Innovations Ltd. (collectively, “Plaintiffs”), Defendants Digital Realty Trust, Inc. and Digital Realty Trust, L.P. (collectively, “Defendants”), and Intervenor Vertiv Corporation (“Vertiv” and with Plaintiffs and Defendants, the “Parties”). (Dkt. No. 94.) In the Motion, the Parties “jointly move to dismiss the above-captioned matters in part with respect

to the cases involving . . . Defendants only, including Vertiv as intervenor in those cases, with prejudice.” (*Id.* at 1–2.) Specifically, the Parties request that the Court dismiss “all claims and counterclaims that were or could have been brought in the actions between Plaintiffs and . . . Defendants only, including as it concerns Vertiv’s role as Intervenor” in Member Case Nos. 2:24-CV-00139-JRG and 2:24-CV-00535-JRG. (*Id.* at 2.) The Parties further state that “[n]othing in this Motion is meant to resolve Intervenor Vertiv’s claims other than with respect to . . . Defendants’ use of Vertiv technology.” (*Id.*)

Having considered the Motion, and noting its joint nature, the Court finds that it should be and hereby is **GRANTED**. Accordingly, all claims and counterclaims that were or could have been brought in Member Case Nos. 2:24-CV-00139-JRG and 2:24-CV-00535-JRG are hereby **DISMISSED WITH PREJUDICE**. Each party is to bear its own costs, expenses, and attorneys’ fees. All pending requests for relief in Member Case Nos. 2:24-CV-00139-JRG and 2:24-CV-00535-JRG not explicitly granted herein are **DENIED AS MOOT**.

The Clerk of Court is directed to **CLOSE** Member Case Nos. 2:24-CV-00139-JRG and 2:24-CV-00535-JRG and **MAINTAIN AS OPEN** Lead Case No. 2:24-CV-00361-JRG.

So ORDERED and SIGNED this 22nd day of January, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE